

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen,	)	CIVIL NO. CV03-00385 SOM-LEK
	)	(Copyright)
Plaintiff,	)	
	)	DECLARATION OF LYLE S. HOSODA
v.	)	
	)	
HAWAIIAN EXPRESS SERVICE,	)	
INC., a California	)	
corporation; et al.	)	
	)	
	)	
	)	

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**DECLARATION OF LYLE S. HOSODA**

I, LYLE S. HOSODA, hereby declare as follows:

1. I am the principal attorney of the law firm of LYLE S. HOSODA & ASSOCIATES, L.L.C., attorneys for Defendants Brian Christensen, Mark Dillon, Teresa Noa, Melvin Ponce, Sonia Purdy, Justin Fukumoto, Alfreda Waiolama, and Jacqueline Rio ("Employees") and am licensed to practice in all of the state and federal courts in the State of Hawaii.

2. I have personal knowledge of the facts stated in this declaration and if called as a witness, I could and would testify to all matters set forth herein of my own knowledge.

3. On March 23, 2006, I caused to be filed the Employees' Motion for Attorneys' Fees and Costs.

4. On March 28, 2006, I met with Plaintiff's counsel, Timothy Hogan. The purpose of the meeting was to attempt to

reach an agreement regarding Plaintiff's and the Employees' respective motions for attorneys' fees and costs.

5. The parties were unable to reach an agreement.

I declare under penalty of perjury under the laws of the State of Hawaii that the foregoing is true and correct.

Dated: April 6, 2006.

/s/ Lyle S. Hosoda

LYLE S. HOSODA